

Amendment No. \_\_\_\_\_

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Signature of Sponsor

FILED

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

AMEND Senate Bill No. 1386

House Bill No. 1240\*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49, Chapter 1, Part 2, is amended by adding the following language as a new section:

(a) As used in this section, "adverse childhood experiences" or "ACEs" mean stressful or traumatic events experienced by a minor child. ACEs include, but are not limited to, a child witnessing, or being the victim of, physical abuse, sexual abuse, emotional abuse, physical neglect, emotional neglect, domestic violence, substance abuse, mental illness, parental separation or divorce, and incarceration.

(b) The department of education shall develop an evidence-based training program on ACEs for school leaders and teachers. The training may be delivered through the trainer of trainers model under § 49-1-213, and shall include:

(1) The effects of ACEs on a child's mental, physical, social, behavioral, emotional, and cognitive development;

(2) ACEs as a risk factor for the development of substance abuse disorders and other at-risk health behaviors;

(3) Trauma-informed principles and practices for classrooms; and

(4) How early identification of children exposed to one (1) or more ACEs may improve educational outcomes.

(c) An LEA may develop its own ACEs training program to make available to the LEA's school personnel.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring



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Amendment No. \_\_\_\_\_

  
Signature of Sponsor

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Comm. Amdt. \_\_\_\_\_

AMEND Senate Bill No. 1068\*

House Bill No. 1282

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-302(a), is amended by adding the following language as an appropriately designated subdivision:

Prepare a report, in association with the commissioner, on the development and implementation of measures to recruit and retain minority public school teachers and administrators and submit the report to the governor and to the general assembly no later than February 1 of each year.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

  
Signature of Sponsor

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Comm. Amdt. _____

**AMEND Senate Bill No. 1629\***

**House Bill No. 1694**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 56, is amended by adding the following language as a new section:

(a) Each state board of education approved teacher preparation program shall report for each school year the number of its program completers who, in the completer's first year of service as a teacher of record, received a score of "below expectations" or "significantly below expectations" on the completer's overall evaluation. The report shall be filed with the Tennessee higher education commission, the state board of education, and the chairs of the education committees of the senate and house of representatives. The state board of education may include this information in its annual teacher preparation report card prepared pursuant to § 49-5-108.

(b) Notwithstanding subsection (a), if a state board of education approved teacher preparation program reports, for any school year, no more than ten (10) program completers who, in the completer's first year of service as a teacher of record, receive a score of "below expectations" or "significantly below expectations" on the completer's overall evaluation, then that data shall not be made publically available in order to safeguard the privacy of individual teacher data.

(c) The general assembly encourages each state board of education approved teacher preparation program to collaborate with the program's primary partnership local education agencies to support its program completers who are in the completer's first year of service as a teacher of record in kindergarten through grade twelve (K-12) schools.



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SECTION 2. Tennessee Code Annotated, Section 49-5-5604, is amended by deleting the section and substituting instead the following:

In order to gain experience in a school and demonstrate readiness for teaching, educator preparation providers shall require clinical experiences, including field experiences and clinical practice, as defined by the state board of education. During the clinical practice, each candidate shall be assigned to an effective educator for guidance, evaluation, and instruction.

SECTION 3. Tennessee Code Annotated, Section 49-5-5607, is amended by deleting the section and substituting instead the following:

(a) The state board of education shall review the scores on the state teachers examination from each public and private teacher training institution. Any institution that had thirty percent (30%) or more of its students fail the examination in the previous year shall be informed and placed on probationary status. Any institution that has thirty percent (30%) or more of its students fail in two (2) consecutive years shall have its state approval revoked by the state board of education.

(b) The department of education shall develop annual performance reports for all approved educator preparation providers.

(c) The state board of education shall promulgate rules necessary to effectuate this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. Tennessee Code Annotated, Section 49-5-5631(d), is amended by deleting the language "The state-recognized" and substituting instead the word "Primary".

SECTION 5. This act shall take effect January 1, 2019, the public welfare requiring it.

Amendment No.

Signature of Sponsor

FILED

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

AMEND Senate Bill No. 2125\*

House Bill No. 2289

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-3-306(a), is amended by adding the following as new subdivision (2):

(2)

(A) For each fiscal year following a fiscal year in which there is an increase to the instructional salaries and wages component of the BEP funding formula in the general appropriations act, each local board of education shall increase the salary schedule adopted by the LEA. The increase required under this subdivision (a)(2)(A) must include an increase in the base salary and in each step in the minimum additional funding required for years of service and advanced degrees.

(B) Subdivision (a)(2)(A) only applies in a county having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than three hundred thirty-six thousand five hundred (336,500) according to the 2010 federal census or any subsequent federal census.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

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Signature of Sponsor

**AMEND Senate Bill No. 2330**

**House Bill No. 2330\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting the punctuation "." at the end of subdivision (b)(1) in the amendatory language of Section 1 and substituting instead:

; unless an LEA's discipline policy permits the use of corporal punishment and a parent of a child who has a disability permits, in writing, the use of corporal punishment against the parent's child. The written permission must state the type of corporal punishment that may be used and the circumstances in which the use of corporal punishment is permitted. The school's principal must keep the written permission on file at the school. The school's principal must notify the parent any time corporal punishment is used. The school's principal must inform the parent, when the written permission for the use of corporal punishment is submitted, that the parent may revoke the permission to use corporal punishment at any time by giving written notice to the school's principal that corporal punishment may no longer be used against the parent's child who has a disability.

**AND FURTHER AMEND** by deleting the punctuation "." at the end of subdivision (c)(1) in the amendatory language of Section 2 and substituting instead:

; unless an LEA's discipline policy permits the use of corporal punishment and a parent of a child who has a disability permits, in writing, the use of corporal punishment against the parent's child. The written permission must state the type of corporal punishment that may be used and the circumstances in which the use of corporal punishment is permitted. The school's chief administrative officer must keep the written permission on file at the school. The school's chief administrative officer must notify the parent any time corporal punishment is used. The school's chief administrative officer must inform



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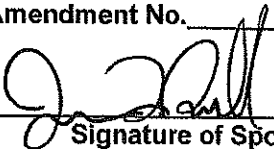


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the parent, when the written permission for the use of corporal punishment is submitted, that the parent may revoke the permission to use corporal punishment at any time by giving written notice to the school's chief administrative officer that corporal punishment may no longer be used against the parent's child who has a disability.



Amendment No. \_\_\_\_\_

  
Signature of Sponsor

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**AMEND Senate Bill No. 1947\***

**House Bill No. 2331**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 41, is amended by adding the following language as a new section:

(a) Beginning with the 2018-2019 school year, each LEA shall submit, at least annually, a report to the department of education detailing the LEA's use of corporal punishment. The report shall include, at a minimum:

- (1) The school at which each instance of corporal punishment occurred;
- (2) Information regarding the reason for each instance of corporal punishment;
- (3) Whether an instance of corporal punishment involved a student with an active individualized education program, and if so, the primary disability category for which the student has an individualized education program; and
- (4) Whether an instance of corporal punishment involved a student with an active 504 plan under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and if so, the reason for which the student has a 504 plan.

(b) The report submitted pursuant to this section shall exclude any personally identifiable information and shall be created in accordance with the Family Education Rights and Privacy Act (FERPA), (20 U.S.C. § 1232g), § 10-7-504, and any other relevant state or federal privacy law.

(c) The department shall report on its website the number of instances of corporal punishment in each LEA and the number of instances involving a student with



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an active individualized education program or an active 504 plan under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. \_\_\_\_\_  
  
Signature of Sponsor

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**AMEND Senate Bill No. 2431\***

**House Bill No. 2576**

by deleting all language after the enacting clause and substituting instead the following:

**SECTION 1.**

(a) The Tennessee advisory commission on intergovernmental relations (TACIR) is directed to perform a study of national data and best practices regarding the appropriate amount of testing for elementary, middle, and high school students.

(b) All appropriate state departments and agencies shall provide assistance to TACIR in connection with the study required by subsection (a).

(c) TACIR shall report its findings and recommendations, including any proposed legislation, to the education committee of the senate, the education administration and planning committee of the house of representatives, and the education instruction and programs committee of the house of representatives no later than February 1, 2019.

**SECTION 2.** This act shall take effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

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Signature of Sponsor

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**AMEND Senate Bill No. 2662**

**House Bill No. 2670\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 4, is amended by adding the following language as a new section:

Any voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for secondary schools in this state shall be subject to an annual audit by the comptroller of the treasury. At the discretion of the comptroller of the treasury, the audit may be prepared by a certified public accountant, a public accountant, or by the department of audit. If the entity fails or refuses to have the audit prepared, the comptroller of the treasury may appoint a certified public accountant or public accountant or direct the department to prepare the audit. The entity shall bear the full costs of the audit.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following as a new section:

(a) Public schools, including public charter schools, shall not use public funds to join, become members of, or maintain membership in an association that regulates interscholastic athletics unless the association complies with the open meetings laws, compiled in title 8, chapter 44, part 1.

(b) Notwithstanding subsection (a), an association that regulates interscholastic athletics may conduct a closed meeting, or close a portion of an otherwise open meeting, if confidential information protected by the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g), § 10-7-504, or any other relevant privacy law must be discussed. Reasonable notice of any closed meeting shall be provided to the public



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prior to such meeting. No other business, other than the business of discussing confidential information, shall be addressed during a closed meeting.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

**Amendment No. 1 to HB2690**

**Brooks H**  
**Signature of Sponsor**

**AMEND Senate Bill No. 2029\***

**House Bill No. 2690**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-2-124, is amended by adding the following as new subsections:

(h) An LEA or school shall notify parents or legal guardians prior to any student participating in any mental health screening. The written notice shall include:

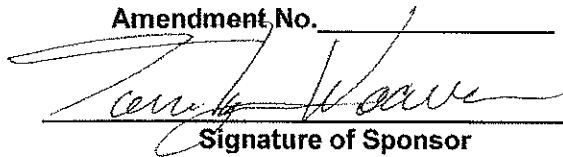
- (1) The purpose for the mental health screening;
- (2) The provider or contractor providing the mental health screening;
- (3) The date and time at which the mental health screening is scheduled;

and

- (4) The length of time the mental health screening may last.

(i) Pursuant to § 49-1-704, a parent or legal guardian has a right to inspect and review the parent or guardian's child's education records.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

Amendment No. \_\_\_\_\_  
  
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Signature of Sponsor

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AMEND Senate Bill No. 2036\*

House Bill No. 2682

by deleting Section 3 and substituting instead the following language:

SECTION 3. Tennessee Code Annotated, Section 49-9-202(a)(2)(D), is amended by deleting the language "and experience" and substituting instead the language "experience, and honorable military service".



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Amendment No. \_\_\_\_\_

  
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Signature of Sponsor

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**AMEND Senate Bill No. 2294**

**House Bill No. 2363\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-7-2004, is amended by deleting subdivision (a)(6)(D) in its entirety and substituting instead:

(D) Meets and maintains financial standards deemed acceptable by the accreditor for the purpose of maintaining accreditation or the United States department of education for the purpose of being a Title IV eligible institution; and

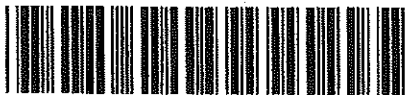
SECTION 2. Tennessee Code Annotated, Section 49-7-2008, is amended by deleting subdivision (e)(2) in its entirety and substituting instead:

(2) In the event of a change in ownership of the institution, a new owner or governing body must, within five (5) business days after the change in ownership, apply for a new authorization to operate as provided for by the commission; and in the event of failure to do so, the institution's authorization to operate shall terminate.

SECTION 3. Tennessee Code Annotated, Section 49-7-2013, is amended by deleting subdivision (a)(3) in its entirety and substituting instead:

(3) The bond shall be conditioned to:

(A) Initially provide indemnification to any student or enrollee or the student's or enrollee's parents or guardian, or class thereof, determined to have suffered loss or damage as a result of any act or practice that is a violation of this part by the postsecondary educational institution, and that the bonding company shall pay any final, nonappealable judgment rendered by the commission or any court of this state having jurisdiction, upon receipt of written notification of the judgment; and



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(B) Pay, from any remaining funds to the special agency account established pursuant to § 49-7-2014, an amount to be assessed by the commission for the administrative costs associated with maintaining academic records pursuant to § 49-7-2016, including the collection, conversion, and retention of all academic records.

SECTION 4. Tennessee Code Annotated, Section 49-7-2016, is amended by deleting subsections (b), (c), and (d) in their entireties and substituting instead:

(b) The academic records shall include, at a minimum, the transcripts or certificates in a format that is customarily required by postsecondary educational institutions when considering students for transfer or advanced study, or by other third parties, such as employers.

(c) In the event it appears to the commission that the academic records of an institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the commission, the commission may seize and take possession of the records, on its own motion, and without order of court.

(d) The commission shall maintain, or cause to be maintained, a permanent file of the transcripts or certificates provided by subsection (b) that come into its possession.

SECTION 5. Tennessee Code Annotated, Section 49-7-2018, is amended by deleting subsection (a) in its entirety and substituting instead:

(a) The general assembly recognizes:

(1) The need to establish a fund from which reimbursement can be made to students who reside in Tennessee or attend an authorized location with a Tennessee address, or an entity making loans to those students at postsecondary educational institutions that close without earning tuition collected from enrollees; and

(2) That the moneys for the fund can be most properly raised based on the level of tuition collections at each such educational institution.

SECTION 6. Tennessee Code Annotated, Section 49-7-2018, is amended by deleting subsection (c) in its entirety and substituting instead:

(c) There is established the board of directors of the tuition guaranty fund, which shall be composed of the comptroller of the treasury, the commissioner of finance and administration, the state treasurer, the executive director of the Tennessee higher education commission, a member of the committee on postsecondary educational institutions named by the chair of the commission, and a representative of the private postsecondary education industry named by the chair of the commission, or their designees, so designated in writing. The state treasurer or the state treasurer's designee shall be chair. The board is authorized to take any actions necessary to administer the fund, including promulgation of rules and bylaws. The board shall report annually to the general assembly and governor on the condition of the fund.

SECTION 7. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subsection (c) in its entirety and substituting instead:

(c) Eligibility for optional expedited authorization is available annually to degree-granting postsecondary educational institutions that submit the following documentation to the commission:

(1) Evidence of good-standing and valid institutional accreditation from a regional or national institutional accrediting agency recognized by the United States department of education;

(2) Documentation evidencing an established, clearly articulated, and comprehensive process for the resolution of consumer complaints;

(3) If the institution is not authorized in this state, documentation evidencing that the institution is authorized or exempt from authorization in the state where it is primarily located;

(4) A signed and notarized application for optional expedited authorization on a form provided by the commission;

(5) If applicable, documentation evidencing all requisite program approvals from other state licensing boards or commissions; and

(6) Documentation evidencing that the institution meets and maintains financial standards and institutional stability acceptable by the accreditor for the purpose of maintaining accreditation or the United States department of education for the purpose of being a Title IV eligible institution.

SECTION 8. Tennessee Code Annotated, Section 49-7-2022(h)(2), is amended by adding the following as new, appropriately designated subdivisions:

- ( ) A change of ownership;
- ( ) A change of institutional director;

SECTION 9. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subdivision (h)(5) in its entirety and substituting instead:

- (5) Provide the following data, subject to the commission's requirements:
  - (A) Student-level data on enrollment and credential attainment;
  - (B) Job placement data;
  - (C) Costs of attendance;
  - (D) Federal student cohort default rates; and
  - (E) A comprehensive list of all programs offered at the institution.

SECTION 10. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subsections (i), (j), and (k) in their entireties and substituting instead:

(i) Optional expedited authorization shall remain available only to those institutions maintaining the eligibility standards required under this section, as submitted in the documentation accompanying the institution's annual optional expedited authorization application. Optional expedited authorization shall be issued to the owner or governing body of the applicant institution and shall be nontransferable. In the event of a change of ownership, the new owner or governing body must apply for a new authorization to operate as provided for by the commission; failure to do so shall result in termination of the institution's authorization to operate.

(j) The commission may revoke or make conditional an issued optional expedited authorization for:

- (1) Loss of or failure to meet any of the listed criteria for authorization in subsection (c);
- (2) Just cause; or
- (3) Failure to fulfill the requirements in subsection (h).

(k) Upon the commission's revocation of any institution's optional expedited authorization, the institution shall then immediately be subject to all remaining provisions of this part, applicable administrative rules and procedures for issuance of authorization, and shall reapply for commission authorization under § 49-7-2008. Any institution whose optional expedited authorization is revoked by the commission shall be ineligible to reapply for optional expedited authorization for no less than twenty-four (24) months from the date of revocation.

SECTION 11. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subsection (p) in its entirety and substituting instead:

(p) No later than June 30, 2018, the commission shall develop, and make available on its web site, graduation rates and statistics on credential attainment for institutions authorized under this section and a hyperlink to the institutions' website.

SECTION 12. Tennessee Code Annotated, Section 49-7-2022, is amended by deleting subdivision (q)(1) in its entirety and substituting instead:

(1) Any person aggrieved by a decision of the commission with respect to denial of, revocation of, or making conditional an optional expedited authorization to operate as provided by subsection (j) shall have the right to a hearing and review of the decision by the commission as provided by this subsection (q).

SECTION 13. Tennessee Code Annotated, Section 49-7-2022, is amended by adding the following as new, appropriately designated subsection:

( ) Institutions authorized under this section shall develop and make available to the public on the institutions' websites the most current version of the following information:

- (1) Costs of attendance;
- (2) Information on whether academic credits attained are transferable to other institutions operating in Tennessee;
- (3) Executed articulation and transfer of credit agreements with other institutions operating in Tennessee, if applicable; and
- (4) Federal student cohort default rates.

SECTION 14. Tennessee Code Annotated, Section 49-7-207, is amended by deleting subsections (a) and (b) in their entireties and substituting instead:

(a) There is created, under the auspices of the Tennessee higher education commission, a committee on postsecondary educational institutions, which shall have responsibility for oversight and regulation of institutions pursuant to part 20 of this chapter. The committee shall be composed of the executive director of the Tennessee higher education commission, who shall serve as chair, and twelve (12) persons appointed by the commission. Persons appointed by the commission shall be broadly representative of the geographical characteristics of the state. Six (6) members of the committee shall be employed by, hold an ownership interest in, or otherwise be affiliated with an institution or other entity subject to the committee's supervision and oversight. Four (4) members shall be representative of the public interest and shall have no association or relationship with the institutions. Two (2) members shall be representative of community based organizations that have an interest in postsecondary occupational education. The commission may receive lists of nominees from the postsecondary institutions or from other sources to fill vacancies on the committee, who shall be considered by the commission in making its appointments.

(b) Members of the committee shall serve three-year terms, or until their successors are appointed. Members may be reappointed. A member may be removed

without cause by the commission if removal is required to avoid having more than six (6) members of the committee who are affiliated with an institution subject to the committee's supervision and oversight. Members may also be removed by the commission for failure to attend official meetings of the committee, for failure to perform duties related to their position or for other reasonable cause.

SECTION 15. The member added to the committee by increasing the number of appointed members from eleven (11) to twelve (12) by the amendment to § 49-7-207(a) of this act shall serve a three-year term.

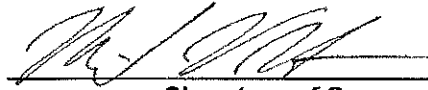
SECTION 16. Tennessee Code Annotated, Section 49-7-207 is amended by deleting subsection (f) in its entirety and substituting instead:

(f) When the committee or the commission receives a request for initial authorization of an institution or approval of a new program under part 20 of this chapter, it shall provide timely notice of the application and the programs that are proposed to be offered to state institutions of higher education within whose service area the proposed institution or program is to be located. Any affected state institution may comment on the proposal to the committee or commission.

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it.

# 526  
H. Brooks

Amendment No. \_\_\_\_\_



Signature of Sponsor

FILED

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

AMEND Senate Bill No. 1839\*

House Bill No. 1894

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-8-101(a)(3)(A), is amended  
by deleting the second sentence in its entirety and substituting instead the following  
language:

The statewide system of state colleges of applied technology, established  
under chapter 11, part 4, of this title, shall be composed of the state colleges  
of applied technology now established and located at Athens, Chattanooga,  
Covington, Crossville, Crump, Dickson, Elizabethton, Harriman, Hartsville,  
Hohenwald, Jacksboro, Jackson, Knoxville, Livingston, McKenzie,  
McMinnville, Memphis, Morristown, Murfreesboro, Nashville, Newbern,  
Oneida, Paris, Pulaski, Ripley, Shelbyville, and Whiteville. The board of  
regents is authorized to establish additional state colleges of applied  
technology or to combine existing state colleges of applied technology as  
needed to improve operational and administrative efficiencies.

SECTION 2. This act shall take effect upon becoming a law, the public welfare  
requiring it.



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